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10
11 **BEFORE THE**
BOARD OF REGISTERED NURSING
12 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

13
14 In the Matter of the Accusation Against:

Case No. **2012-612**

15 **ALLAN DAVID GOODWIN**
1280 Buffalo Grass Place
Elizabeth, CO 80107

A C C U S A T I O N

16 **Registered Nurse License No. 658695**

17
18 Respondent.

19 Complainant alleges:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
22 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
23 of Consumer Affairs.

24 2. On or about June 9, 2005, the Board of Registered Nursing issued Registered Nurse
25 License Number 658695 to Allan David Goodwin (Respondent). The license was in full force
26 and effect at all times relevant herein. It expired on May 31, 2007, and has not been renewed.

27 **JURISDICTION**

28 3. This Accusation is brought before the Board of Registered Nursing (Board), under the

1 authority of the following laws. All section references are to the Business and Professions Code
2 unless otherwise indicated.

3 4. Section 2750 of the Business and Professions Code (Code) provides, in pertinent part,
4 that the Board may discipline any licensee, including a licensee holding a temporary or an
5 inactive license, for any reason provided in Article 3 (commencing with section 2750) of the
6 Nursing Practice Act.

7 5. Section 2764 of the Code provides that the expiration of a license shall not deprive
8 the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to
9 render a decision imposing discipline on the license. Under section 2811(b) of the Code, the
10 Board may renew an expired license at any time within eight years after the expiration.

11 STATUTORY PROVISIONS

12 6. Section 2761 of the Code states: "the board may take disciplinary action against a
13 certified or licensed nurse or deny an application for a certificate or license for any of the
14 following:

15 "(a) Unprofessional conduct, which includes, but is not limited to, the following:

16 "..."

17 "(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action
18 against a health care professional license or certificate by another state or territory of the United
19 States, by any other government agency, or by another California health care professional
20 licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that
21 action."

22 COST RECOVERY

23 7. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
24 administrative law judge to direct a licensee found to have committed a violation or violations of
25 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
26 enforcement of the case.

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1 CAUSE FOR DISCIPLINE

2 (Unprofessional Conduct - Out of State Discipline)
3 (Bus. & Prof. Section 2761, subd. (a)(4))

4 8. Respondent is subject to disciplinary action under Code section 2761, subdivision
5 (a)(4), in that on or about December 17, 2008, in a disciplinary action before the State Board of
6 Nursing, State of Colorado (Colorado Board), in Case No. 2005-001399, the Colorado Board
7 entered a Stipulation and Agency Order placing Respondent on probation for a period of two (2)
8 years subject to terms and conditions. By way of the stipulation, Respondent admitted that he
9 failed to appropriately monitor an Intensive Care Unit patient under his care who was found to be
10 in severe cardiac and pulmonary distress. All of the patient's leads, as well as oxygen mask, and
11 blood pressure cuff had been removed.

12 PRAYER

13 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
14 and that following the hearing, the Board issue a decision:

- 15 1. Revoking or suspending Registered Nurse License Number 658695, issued to Allan
16 David Goodwin;
17 2. Ordering Allan David Goodwin to pay the Board of Registered Nursing the
18 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
19 Professions Code section 125.3;
20 3. Taking such other and further action as deemed necessary and proper.

21 DATED: April 9, 2012

22 *for* Stacie Ben
23 LOUISE R. BAILEY, M.ED., RN
24 Interim Executive Officer
25 Board of Registered Nursing
26 Department of Consumer Affairs
27 State of California
28 Complainant

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